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UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

AEDES DE VENUSTAS, INC.,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Civil Action No.: 1:07-04530 (LTS)
	:	
BATALLURE BEAUTY, LLC F/KA	:	
VENUSTAS INTERNATIONAL, LLC	:	AFFIRMATION OF
	:	ROBERT G. SHEPHERD
	:	
Defendant.	:	
	:	

Robert G. Shepherd, an attorney admitted to practice before the courts of the Southern District of New York, affirms the truth of the following subject to the laws of perjury:

1. I am a partner in the law firm of Mathews, Shepherd, McKay & Bruneau, P.A., ("MSMB"), Attorney for Battallure Beauty, LLC (f/k/a Venustas International, Inc.). I make this affirmation on the basis of personal knowledge and submit it pursuant to Rule 1.4 in support of MSMB's application to withdraw as Battallure Beauty, LLC's counsel.
2. MSMB has been advised by Battallure Beauty, LLC that it has retained the law firm of Fish & Richardson to serve as new counsel in the above-captioned case, and therefore no longer requires the services of MSMB. A true and correct copy of the electronic mail

correspondence from Mr. Sam Ghusson of Batallure Beauty, LLC to me so advising MSMB is attached hereto.

The Posture of the Case

3. The posture of the case is as follows:

a. A complaint in this action was filed by plaintiff Aedes de Venustas, Inc. on or about May 30, 2007. ("Complaint").

b. On or about May 30, 2007, plaintiff Aedes de Venustas, Inc. served Batallure Beauty, LLC with an application for a Preliminary Injunction with Temporary Restraints. On June 1, 2007 the Motion for a Preliminary Injunction was consolidated in a hearing before Judge Swain into a hearing for a Permanent Injunction.

c. On or about June 19, 2007, defendant Batallure Beauty, LLC filed an Opposition to the Application for a Permanent Injunction.

d. On or about June 20, 2007, plaintiff Aedes de Venustas, Inc. filed a reply in response to defendant's Opposition to the Application for a Permanent Injunction.

e. On or about June 28, 2007, defendant Batallure Beauty, LLC filed its Answer to the Complaint.

f. On July 13, 2007 a trial was held before Judge Swain on the issue of a Permanent Injunction.

g. On or about August 7, 2007 a post-trial brief was filed by plaintiff Aedes de Venustas.

h. On or about August 7, 2007 a post-trial brief was filed by defendant Batallure Beauty, LLC.

i. On or about September 12, 2007 an Opinion and Order issued by Judge Swain Granted the Plaintiff's Request for a Permanent Injunction against defendant Batallure Beauty, LLC.

j. On or about November 9, 2007, defendant Batallure Beauty, LLC requested permission from the Court to file a Motion for Partial Summary Judgment that the plaintiff is not entitled to an award of the defendants' profits.

k. On or about November 13, 2007, plaintiff Aedes de Venustas filed a Response to defendant's request to file a Motion for Partial Summary Judgment, objecting to defendant's request.

l. On or about November 13, 2007 permission was granted by Judge Swain for defendant to file a Motion for Partial Summary Judgment.

m. On or about January 25, 2008 defendant Batallure Beauty, LLC filed its Motion for Partial Summary Judgment.

n. On or about February 11, 2008 defendant filed a Motion for a Protective Order to Bar the Deposition or Demanding of Documents of Non-Party Allen Silk.

o. On or about February 19, 2008 plaintiff Aedes de Venustas filed its response in Opposition to defendant's Motion for a Protective Order to Bar the Deposition or Demanding of Documents of Non-Party Allen Silk.

p. On or about February 20, 2008 defendant filed its reply in response to plaintiff's Opposition to defendant's Motion for a Protective Order to Bar the Deposition or Demanding of Documents of Non-Party Allen Silk.

q. On or about March 5, 2008 an Opinion was issued by Judge Swain denying defendant's Motion for a Protective Order to Bar the Deposition or Demanding of Documents of Non-Party Allen Silk.

4. It is my understanding that David Francescani Esq., a partner in the New York office of Fish & Richardson and Kristen McCallion, Esq. of Fish & Richardson will be representing Batallure Beauty, LLC hereon in the above-captioned matter. Thus, no delay or prejudice will result from the withdrawal of MSMB, and I request that MSMB's application to withdraw be granted.

Dated: May 1, 2008

Respectfully submitted,

By: s/Robert G. Shepherd
Robert G. Shepherd, Esq.

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EXHIBIT A

Robert Shepherd

From: Sam Ghusson [sghusson@batallure.com]
Sent: Friday, April 11, 2008 2:10 PM
To: Robert Shepherd; Philip M. Colicchio; Bennett J. Wasserman
Cc: francescani@fr.com; mccallion@fr.com

Gentlemen,

We retained Mr. David Francescani from Fish & Richardson P.C. to handle the trademark infringement lawsuit pending in the United States District Court, for the Southern District of New York entitled Aedes D. De Venustas, Inc. vs. Venustas International, LLC.

Please provide any and all information requested by his firm.

Contact information for David and Kristen:

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Thanks for all your help and have a great weekend.

Regards.
Sam

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4/28/2008